

jc962 U.S. PTO



03/09/01

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PATENT AGENT

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1033 U.S. PTO

09/802472



03/09/01

Re: New Patent Application in U.S.  
Applicant: Paz EINAT et al.  
Title: SEQUENCES CHARACTERISTIC OF HYPOXIA -REGULATED GENE  
TRANSCRIPTION  
Atty's Docket: EINAT4.1C

Sir:

Attached herewith is the above-identified application for Letters Patent including:

- ☒ Application Data Sheet
- ☒ Specification (149 pages), claims (3 pages) and abstract (1 page)
- ☒ 5 Sheets Drawings (Figures 1-5)
- ☒ **FORMAL** ☐ Informal
- ☐ Information Disclosure Statement with SB/08A and \_\_\_ references
- ☒ Return Receipt Postcard (in duplicate)

The following statements are applicable:

- ☐ Applicant hereby requests that this application **not** be published pursuant to 35 U.S.C. §122(a). It is certified on behalf of applicant that the invention disclosed in the application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing.
- ☐ Applicant claims small entity status. See 37 C.F.R. §1.27.
- ☐ The benefit under 35 USC §119 is claimed of the filing date of:  
Application No. \_\_\_\_\_ in \_\_\_\_\_ on \_\_\_\_\_. A certified copy of said priority document ☐ is attached ☐ was filed in progenitor case \_\_\_\_\_ on \_\_\_\_\_.  
Application No. \_\_\_\_\_ in \_\_\_\_\_ on \_\_\_\_\_. A certified copy of said priority document ☐ is attached ☐ was filed in progenitor case \_\_\_\_\_ on \_\_\_\_\_.  
☐ The present application claims the benefit of U.S. Provisional Appln. No. 60/\_\_\_\_\_, filed \_\_\_\_\_.  
☒ The present application is a Continuation-in-Part of prior Application No. 09/384,096, filed August 27, 1999, which is a continuation-in-part of 09/138,109, filed August 21, 1998, which is a non-provisional application of 60/056,453, said 09/384,096 is a non-provisional application of 60/098,158, filed August 27, 1998, and 60/132,684, filed May 5, 1999. Although this application is stated to be a CIP, applicant does not concede that any matter is presented in this application which is not present in the parent.

In re Appln. of P. EINAT et al. (EINAT4.1C)

- ☐ Amend the specification by inserting before the first line the sentence:
- ☐ --This is a continuation / division / continuation-in-part of copending parent application No. \_\_\_\_\_, filed \_\_\_\_\_--
- ☐ --The present application claims the benefit of U.S. Provisional Appln. No. 60/\_\_\_\_\_, filed \_\_\_\_\_--
- ☐ --The present application is the national stage under 35 U.S.C. §371 of international application \_\_\_\_\_ which designated the United States[, which international application was published under PCT Article 21(2) in English].--
- ☐ Certain documents were previously cited or submitted to the Patent and Trademark Office in the following prior application \_\_\_\_\_, which is relied upon under 35 USC §120. Applicants identify these documents by attaching hereto a form PTO-1449 listing these documents, and request that they be considered and made of record in accordance with 37 CFR §1.98(d). Per Section 1.98(d), copies of these documents need not be filed in this application.
- ☐ Incorporation By Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☒ In accordance with 37 CFR 1.53(a) and (b), it is respectfully requested that a serial number and filing date be assigned to this application as of the date of receipt of the present papers. In accordance with the present procedures of the U.S. Patent and Trademark Office, an executed Declaration and the filing fee for the present application will be filed in due course.
- ☒ **No authorization is given for charging the filing fee at the present time. However, at such time that the declaration is filed, but not before, you are authorized to charge whatever excess fees are necessary (including the filing fee and any extension of time fees then due) to Deposit Account 02-4035, if any such fees due are not fully covered by check filed at that time.**
- ☒ The attorneys of record for this application and the address will be those of **Customer No. 001444**; i.e., Sheridan Neimark, Reg. No. 20,520; Roger L. Browdy, Reg. No. 25,618; Anne M. Kornbau, Reg. No. 25,884; Norman J. Latker, Reg. 19,963; Iver P. Cooper, Reg. No. 28,005; Jay M. Finkelstein, Reg. No. 21,082; and \*Allen C. Yun, Reg. No. 37,971 (\*Patent Agent). Please send all correspondence with respect to this case to:
- BROWDY AND NEIMARK, P.L.L.C.**  
**624 Ninth Street, N.W.**  
**Washington, D.C. 20001**
- Please direct all telephone calls to Browdy and Neimark at (202) 628-5197.
- ☒ The Commissioner is hereby authorized to credit any overpayment of fees accompanying this paper to Deposit Account No. 02-4035.

Respectfully submitted,  
 BROWDY AND NEIMARK, P.L.L.C.

By: 

Roger L. Browdy  
 Registration No. 25,618

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